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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SANNA OLSEN,

Plaintiff,

v.

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,

Defendant.

Case No.: 2:23-cv-00894-EJY

**~~PROPOSED~~ ORDER FOR EAJA FEES  
AND EXPENSES**

Pending before the Court is Plaintiff's Unopposed Motion for Attorney's Fees Under the Equal Access to Justice Act (EAJA), filed October 31, 2023. The parties agree that Plaintiff should be awarded attorney fees in the amount of \$1,084.06 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d) and costs in the amount of \$402.00 under 28 U.S.C. § 1920.

The parties further agree that the government will consider whether the fees are subject to any offset allowed under the Department of the Treasury's Offset Program. (*Id* at 2). If Plaintiff does not owe a federal debt, the payment of fees shall be made directly to Plaintiff's counsel.

The parties agree that this Order shall bar any future claims by Plaintiff and Plaintiff's counsel to fees under EAJA in connection with this action, but that Plaintiff's counsel may seek attorney fees under the Social Security Act's fee provisions, 42 U.S.C.

§ 406(b), subject to the savings clause provisions of EAJA.

**IT IS ORDERED:**

1. Plaintiff's Motion is **granted**.


2. Plaintiff is awarded \$1,084.06 in attorney's fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, and \$402.00 in costs pursuant to 28 U.S.C. § 1920.

3. If, after receiving the Court's EAJA fee Order, the Commissioner (1) determines upon effectuation of the Court's EAJA fee Order that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, and (2) agrees to waive the requirements of the Anti-Assignment Act, the EAJA fees will be made payable to Plaintiff's attorney.

However, if there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and the remaining EAJA fees after offset will be paid by a check made out to Plaintiff but delivered to Plaintiff's attorney. Any payment of costs may be made either by electronic transfer fund (EFT) or by check.

This award is without prejudice to the ability of Plaintiff's attorney to seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

DATED: November 4, 2023



HON. Elayna J. Youchah

UNITED STATES MAGISTRATE JUDGE